

EXHIBIT A



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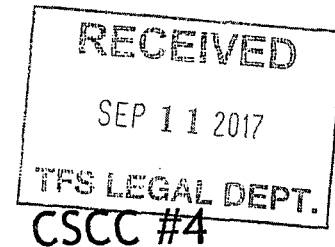
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August 23, 2017

VIA CERTIFIED MAIL, R.R.R. AND REGULAR MAIL
TOYOTA FINANCIAL SERVICE
P. O. BOX 9490
CEDAR RAPIDS, IA 52409-9490



AUG 29 2017

Re: Boyle, et al., vs. Toyota Financial Services, et al.
Docket No. UNN-L-2652-17
Our File No. 14207

Dear Sir/Madam:

Enclosed herewith please find an original and one copy of a Summons, Complaint, Interrogatories, Demand for Documents and Request for Admissions regarding the above matter. Upon reading the Summons, you will note that you have thirty-five (35) days within which to file an Answer to the charges made in the Complaint.

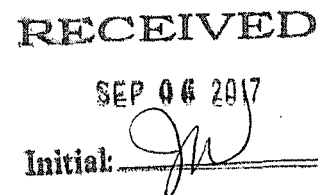
Service is being made upon you through the mail under the authority of R: 4:4-4 of the Rules Governing the Courts of the State of New Jersey.

Thank you for your anticipated cooperation in this matter.

Very truly yours,


JONATHAN RUDNICK

JR:mcl
Encs.
Certified Mail No. 9590 9402 1474 5329 6461 01, R.R.R.



LAW OFFICE OF JONATHAN RUDNICK LLC
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(732) 842-2070
ATTORNEYS FOR PLAINTIFF
OUR FILE NO. 14207

CHRISTINE A. BOYLE, ET AL.,

Plaintiffs,

Vs.

TOYOTA FINANCIAL SERVICE, ET AL.,

Defendants.

SUPERIOR COURT OF NEW JERSEY
LAW DIVISION: UNION COUNTY

DOCKET NO. UNN-L-2652-17

CIVIL ACTION

SUMMONS

From The State of New Jersey

To the Defendant(s) Named Above: **TOYOTA FINANCIAL SERVICE**

The plaintiff, named above, has filed a lawsuit against you in the Superior Court of New Jersey. The Complaint attached to this Summons states the basis for this lawsuit. If you dispute this Complaint, you or your attorney must file a written answer or motion and proof of service with the County Deputy Clerk of the Superior Court in the county listed above within thirty-five (35) days from the date you received this Summons, not counting the date you received it. (The address of each County Deputy Clerk of the Superior Court is provided.) A \$135.00 filing fee payable to the Clerk of the Superior Court and a completed Case Information Statement (available from the Monmouth County Deputy Clerk of the Superior Court) must accompany your answer or motion when it is filed.

You must also send a copy of your answer or motion to plaintiff's attorney whose name and address appear above, or to plaintiff, if no attorney is named above. A telephone call will not protect your rights; you must file and serve a written answer or motion (with fee and completed Case Information Statement) if you want the court to hear your defense.

If you do not file and serve a written answer or motion within 35 days, the court may enter a judgment against you for the relief plaintiff demands, plus interest and costs of suit. If judgment is entered against you, the Sheriff may seize your money, wages or property to pay all or part of the judgment.

If you cannot afford an attorney, you may call the Legal Services office in the county where you live. A list of these offices is provided. If you do not have an attorney and are not eligible for free legal assistance, you may obtain a referral to an attorney by calling one of the Lawyer Referral Services. A list of these numbers is also provided.

Michelle M. Smith/s

MICHELLE SMITH, Acting Clerk
Superior Court

DATED: August 23, 2017

NAME(S) and ADDRESS(ES) OF DEFENDANT(S) TO BE SERVED:

**TOYOTA FINANCIAL SERVICE
P.O. Box 9490
Cedar Rapids, IA 52409-9490**

ATLANTIC COUNTY: Deputy Clerk of the Superior Court Civil Division, Direct Filing Atlantic County Civil Court Bldg. First Floor 1201 Bacharach Boulevard Atlantic City, NJ 08401 (609) 345-6700 LAWYER REFERRAL (609) 345-3444 LEGAL SERVICES (609) 348-4200	CUMBERLAND COUNTY: Deputy Clerk of the Superior Court Civil Case Management Office Cumberland County Courthouse Broad & Fayette Streets P.O. Box 615 Bridgeton, NJ 08302 (856) 451-8000 LAWYER REFERRAL (856) 692-6207 LEGAL SERVICES (856) 451-0003	MERCER COUNTY: Deputy Clerk of the Superior Court Local Filing Office, Courthouse 175 South Broad St., P.O. Box 8068 Trenton, NJ 08650 (609) 278-7986 LAWYER REFERRAL (609) 585-6200 LEGAL SERVICES (609) 695-6249	SALEM COUNTY: Deputy Clerk of the Superior Court Salem County Courthouse 92 Market Street P.O. Box 18 Salem, NJ 08079 (856) 935-7510 LAWYER REFERRAL (856) 935-5628 LEGAL SERVICES (856) 451-0003
BERGEN COUNTY: Deputy Clerk of the Superior Court Case Processing Section, Room 119 Bergen County Justice Center 10 Main Street Hackensack, NJ 07601-0769 (201) 646-2800 LAWYER REFERRAL (201) 488-0044 LEGAL SERVICES (201) 487-2166	ESSEX COUNTY: Deputy Clerk of the Superior Court 50 West Market Street, Room 131 Newark, NJ 07102 (973) 693-5700 LAWYER REFERRAL (973) 622-6207 LEGAL SERVICES (973) 624-4500	MIDDLESEX COUNTY: Deputy Clerk of the Superior Court Middlesex Administration Building, 3 rd Floor 1 Kennedy Square, P.O. Box 2633 New Brunswick, NJ 08903-2633 (732) 981-3200 LAWYER REFERRAL (732) 828-0053 LEGAL SERVICES (732) 249-7600	SOMERSET COUNTY: Deputy Clerk of the Superior Court Civil Division Office New Courthouse, 3 rd Floor P.O. Box 3000 Somerville, NJ 08876 (908) 231-7000 LAWYER REFERRAL (908) 685-2323 LEGAL SERVICES (908) 231-0840
BURLINGTON COUNTY: Deputy Clerk of the Superior Court Central Processing Office Attn: Judicial Intake Burlington County Court Facility, First Floor 49 Rancocas Road Mount Holly, NJ 08060 (609) 518-2500 LAWYER REFERRAL (609) 261-4862 LEGAL SERVICES (609) 261-1088	GLOUCESTER COUNTY: Deputy Clerk of the Superior Court Civil Case Management Office Attn: Intake First Floor, Court House 1 North Broad Street, P.O. Box 129 Woodbury, NJ 08096 (856) 853-3200 LAWYER REFERRAL (856) 848-4589 LEGAL SERVICES (856) 848-5360	MONMOUTH COUNTY: Deputy Clerk of the Superior Court Monmouth County Courthouse 71 Monument Park P.O. Box 1260 Freehold, NJ 07728-1260 (732) 677-4210 LAWYER REFERRAL (732) 431-5544 LEGAL SERVICES (732) 866-0020	SUSSEX COUNTY: Deputy Clerk of the Superior Court Sussex County Judicial Center 43-47 High Street Newton, NJ 07860 (973) 579-0675 LAWYER REFERRAL (973) 267-5882 LEGAL SERVICES (973) 383-7400
CAMDEN COUNTY: Deputy Clerk of the Superior Court Civil Processing Office First Floor, Hall of Records 101 South Fifth Street Camden, NJ 08103 (856) 225-5000 LAWYER REFERRAL (856) 964-4520 LEGAL SERVICES (856) 964-2010	HUDSON COUNTY: Deputy Clerk of the Superior Court Civil Records Dept. Brennan Courthouse, First Floor 583 Newark Avenue Jersey City, NJ 07306 (201) 795-6000 LAWYER REFERRAL (201) 798-2727 LEGAL SERVICES (201) 792-6363	MORRIS COUNTY: Deputy Clerk of the Superior Court Civil Division 30 Schuyler Place, P.O. Box 910 Morristown, NJ 07960-0910 (973) 656-4110 LAWYER REFERRAL (973) 267-5882 LEGAL SERVICES (973) 285-6911	UNION COUNTY: Deputy Clerk of the Superior Court Union County Courthouse 2 Broad Street, First Floor Elizabeth, NJ 07207-6073 (908) 659-4100 LAWYER REFERRAL (908) 353-4715 LEGAL SERVICES (908) 354-4340
CAPE MAY COUNTY: Deputy Clerk of the Superior Court Cape May County Courthouse 9 North Main Street Box DN-209 Cape May Court House, NJ 08210 (609) 465-1000 LAWYER REFERRAL (609) 463-0313 LEGAL SERVICES (609) 465-3001	HUNTERDON COUNTY: Deputy Clerk of the Superior Court Civil Division 65 Park Avenue Flemington, NJ 08822 (908) 788-1589 LAWYER REFERRAL (908) 735-2611 LEGAL SERVICES (908) 782-7979	OCEAN COUNTY: Deputy Clerk of the Superior Court Courthouse, Room 119 118 Washington Street Toms River, NJ 08754 (732) 244-2121 LAWYER REFERRAL (732) 240-3666 LEGAL SERVICES (732) 341-2727	WARREN COUNTY: Deputy Clerk of the Superior Court Civil Division Office Warren County Courthouse 413 Second Street Belvidere, NJ 07823-1500 (908) 475-6161 LAWYER REFERRAL (973) 267-5882 LEGAL SERVICES (908) 475-2010
		PASSAIC COUNTY: Deputy Clerk of the Superior Court Civil Division Passaic County Court House 77 Hamilton Street Paterson, NJ 07505 (973) 247-8000 LAWYER REFERRAL (973) 278-9223 LEGAL SERVICES (973) 345-7171	

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ATTORNEYS FOR PLAINTIFF
OUR FILE NO. 14207
ATTORNEY ID NO. 034721990

RECEIVED / FILED
Superior Court of New Jersey

JUL 18 2017

CIVIL ASSIGNMENT
UNION COUNTY

CHRISTINE A. BOYLE, INDIVIDUALLY AND ON BEHALF OF THOSE SIMILARLY SITUATED

Plaintiff,

Vs.

TOYOTA FINANCIAL SERVICE, ICU RECOVERY LLC, SERGIO AGOSTHINO, JOHN DOES 1-10, ICU RECOVERY AND TRANSPORTATION INC, ICU RECOVERY LLC.

Defendant.

SUPERIOR COURT OF NEW JERSEY
LAW DIVISION: UNION COUNTY

DOCKET NO.

CIVIL ACTION

UNNL 2652-17

CLASS ACTION COMPLAINT AND JURY DEMAND, DEMAND FOR INJUNCTIVE RELIEF

The plaintiff residing in New Jersey by way of complaint against the defendants states as follows:

COUNT I

1. On or about October 2013 the defendant, Toyota Financial Services Inc., hereinafter TFS was a corporation licensed to do business in the state of New Jersey and charged with providing financing for the plaintiff and members of the public in general.
2. On or about October 2013 the plaintiff entered multiple transactions for the lease of two Toyota vehicles, a Tacoma and a Corolla, at a AutoLand.

3. The plaintiff signed the requisite agreements obligating the defendant finance company with regard to repossession laws in the state of New Jersey implemented by the Uniform Commercial Code and the CFA
4. On or about October 2016 the plaintiff signed a lease extension on the two separate vehicles constituting a five-month extension of the lease. (until March 2017)
5. The plaintiff made the required lease extension payments on both vehicles.
6. On or about January 2017 when the leases were not in default the defendant repossessed the subject automobile, the Tacoma.
7. The defendant failed to provide the plaintiff with the appropriate lease reinstatement notice prior to repossessing the automobile in violation of the New Jersey Consumer Fraud Act. NJSA 56:12-65.
8. The defendant also failed to comply with Uniform Commercial Code because of the repossession was without right because the defendant failed to send a reinstatement notice as required under New Jersey law. Without such reinstatement notice the defendants were without appropriate basis to repossess the automobile. NJSA 56:12-65.
9. After the vehicle was sold the defendants failed to provide the plaintiff with an accounting of the transaction as required under the Uniform Commercial Code.
10. The subject vehicle was repossessed by ICU Recovery and Transportation Inc and/or ICU Recovery LLC.

11. John Doe and Sergio Agosthino were the owner(s) and operator(s) of the aforementioned businesses and personally in charge of operations and policies and procedures
12. These entities were corporations licensed to do business in the state of New Jersey and acting as an agent servant and/or employee of the codefendant TFS.
13. The agents of TFS required the plaintiff to pay an access fee to access personal goods which were in the vehicle in violation of New Jersey law and otherwise a deceptive practice. *Jefferson Loan Co. v. Session*, 397 N.J. Super. 520 (App. Div. 2008)
14. The plaintiff is entitled to obtain his items out of the automobile that having to pay an access fee.
15. The implementation of an access fee by the agent servant and/or employee of TFS constituted a deceptive business practice and/or improper repossession in violation of New Jersey law.
16. The plaintiff asserts that their statutory damages as contemplated under the Uniform Commercial Code, as such the amount of damages to each plaintiff are identical, in addition to the these paid by the plaintiff in class members are identical class member.
17. The plaintiff asserts that the defendant TFS deprived the plaintiff and members of the public who financed the vehicles with TFS access to the vehicle without having to pay an access fee

WHEREFORE, the plaintiff demands judgment against the defendants jointly and severally together with interest and costs of the suit and punitive damages and attorney fees

COUNT II

CLASS ACTION TFS IMPROPER ACCESS FEES

18. Plaintiff included by reference the facts as set forth above as part of the allegations. Plaintiffs assert that the defendants have violated the NJ Consumer Fraud Act and The Uniform Commercial Code for charging access fees for consumers to access their vehicles and good that have been repossessed.

CLASS DEFINITION (CLASS 1): All Consumers who had a vehicle financed with TFS, the vehicle having been repossessed and the consumer been charged an access fee to access their vehicle and goods

19. **TIME PERIOD:** At a minimum from the date of the transaction to the same date 6 years. However, the defendant dealer has been concealing certain information and as such the class period could be greater.

20. **NUMERICITY:** The members of the proposed class, being geographically disbursed and numbering in hundreds or thousands are so numerous that joining all of them is impracticable.

21. **TYPICALITY:** Plaintiffs' claims are typical of class members claims, as the individual plaintiff purchased a vehicle from the defendant. The plaintiff, by proving her claim, will be able to presumptively prove the claims of all class members.

22. **ADEQUACY OF REPRESENTATION:** Plaintiffs' can and will adequately represent and protect the class interest of the class and has no interest that conflicts with

or are antagonistic to the interest of the class members. Plaintiffs have retained attorneys who are compete and experienced in consumer fraud and class action litigation. No conflict exists between plaintiffs and the other class members because:

A. The claims of the named plaintiffs are typical of the absent class members claims;

B. Any claims which plaintiffs assert against the defendant are solely related to the individual transaction as hereinafter alleged can be resolved without any prejudice to the class members. Such claims can be effectively severed, tried separately or otherwise effectively and efficiently case managed by the trial court. Such separate claims are set forth in previous counts of the complaint listed hereto.

C. All questions of law or fact regarding the liability of the defendant are common to the class and are overwhelmingly predominant over any individual issues, which may exist.

D. Without class representation provided by plaintiffs virtually no class members would receive legal representation or redress for their injuries.

E. Plaintiff's counsel has the necessary financial resources to adequately and vigorously litigate this class action.

F. Plaintiffs and class counsel are aware of the fiduciary responsibilities to class members and determined dilligently to discharge those duties by vigorously seeking the maximum possible class recovery.

6. QUESTIONS OF LAW AND FACT: Virtually all the issues of law and fact in this class action are common issues to the class that include the following:

COMMON QUESTIONS OF LAW AND FACT

- (1) Which entities repossessed subject class vehicles
- (2) Does Consumer Fraud Act apply to these transactions and repossessions?
- (3) Were access fees charged to consumers?
- (4) Where were the cars located?

(5) How much was charged to access the goods/vehicle?

(6) Who were the repossession agents?

23. SUPERIORITY: Class action is superior to any other available method for fair and efficient adjudication of this controversy given;

A. Questions of Law and Fact overwhelmingly predominate over any individual questions that may arise, resulting in enormous economies to the Court and parties in litigating the common issues on a class wide instead of a repetitive individual basis.

B. The relative small size of each class members individual damage claim which is too small to make an individual litigation an economically viable alternative such that a practicable matter there is no alternative means of adjudication in the class action;

C. Few class members have any interest in individually controlling the prosecution of separate actions;

D. Despite the relatively small size of individual class member claims, their aggregate volume coupled with economies of scale inherent in litigating similar claims on a common basis will enable this class action to be litigated on a cost-effective basis, especially compared with repetitive individual litigation;

E. No unusual difficulties are likely to be encountered in management of the class action.

WHEREFORE, the plaintiffs demand against the defendant together with interest and costs of the suit with punitive damages and injunctive and declaratory relief.

JURY DEMAND

Plaintiff hereby demands a trial by a jury of six (6) jurors as to all issues raised in these pleadings.

DESIGNATION OF TRIAL COUNSEL

Pursuant to the provisions of R. 4:25-4, the Court is advised that JONATHAN RUDNICK, ESQ., is hereby designated trial counsel.

CERTIFICATION

I hereby certify that, pursuant to R. 4:5-1(b)(2), this matter in controversy is not the subject of any other action pending in any Court or of a pending arbitration, nor is any action or arbitration proceeding contemplated.

LAW OFFICE OF JONATHAN RUDNICK LLC
Attorneys for Plaintiff

BY: 

JONATHAN RUDNICK, ESQ.

Dated: July 5, 2017

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